

AGENDA: December 7, 2004

5.1

CATEGORY: Public Hearing

DEPT.: Community Development

TITLE: Planned Community Permit for a New
Three-Story Building at 155 Castro Street

RECOMMENDATION

Adopt A RESOLUTION CONDITIONALLY APPROVING A PLANNED COMMUNITY PERMIT, PROVISIONAL USE PERMIT AND HERITAGE TREE REMOVAL PERMIT AT 155 CASTRO STREET, to be read in title only, further reading waived.

FISCAL IMPACT

The applicant will pay one-time development fees to the City, such as planning fees, building plan check and permit fees, and the parking in-lieu fee (estimated to be \$520,000 for 20 required parking spaces). Additionally, the proposed project will provide revenue to the Revitalization District on an annual basis through a revised property tax assessment.

BACKGROUND AND ANALYSIS

Existing Site and Surrounding Area

The project site consists of a 5,344 square-foot parcel (0.12 acres) with a single-story, masonry, 1,924 square-foot commercial building on the east side of Castro Street, between West Evelyn Avenue and Villa Street, in the Downtown Precise Plan District (see Attachment 1 for location map). The windowless building once housed the R Club, an eating/drinking/gaming establishment that has been vacant for about six years. The single entrance is at the rear of the building, facing the City parking lot. Surrounding uses include retail commercial and restaurant businesses (see Attachment 2 for photos of the existing site and surrounding area).

Proposed Project

In June 2004, the applicant purchased the property with the intent to demolish the existing building and to construct a new building. Specifically, the proposal includes:

1. Demolition of the existing \pm 1,900 square-foot building.
2. Removal of one Heritage tree (a Tree of Heaven), which is in poor health and structurally unsound.

3. Purchase of approximately 885 square feet (10'11" x 81'0") of City-owned vacant land that is adjacent to the existing 10'1" wide City-owned pedestrian pathway from the public parking lot to Castro Street.
4. Construction of a new, three-story, ±12,100 square-foot commercial building (a ±5,300 square-foot first floor and a ±2,500 square-foot second floor to accommodate the property owner's relocated downtown restaurant – Fu Lam Mum at 246 Castro Street – and a ±4,300 square foot third floor to accommodate three or four office tenants).

The proposed architecture combines a sophisticated design with a nod toward the existing historic fabric of the Castro Street 100 block. The building meets the recently revised design guidelines and development standards for Area H (the historic retail core) of the Downtown Precise Plan District. The building will be two stories in height at the property lines, plus a third-story setback from the front and at the rear corner overlooking the pedestrian pathway. Generous glazing, a multi-colored tile base, metal awnings at key locations, decorative parapets and bay windows and arches on the uppermost floor will punctuate a smooth stucco face. This glazing and decoration will wrap around the building along the pedestrian pathway facade to complement the existing City pavers, historic lighting and metal archways. The rear facade, facing the City parking lot, will provide a simplified version of the front glazing and decoration. Service facilities will also be located at the rear of the building (see Attachment 3 for proposed elevations and floor plans).

ANALYSIS

General Plan and Downtown Precise Plan Compliance

The proposed project complies with the goals and policies of the General Plan by "promoting downtown as a daytime and nighttime center for social, entertainment, cultural, retail and government activity in Mountain View." The proposed project also complies with the objectives and development standards of the Downtown Precise Plan, Area H, regarding building out to the property lines, height limits, setting back the third story of the front facade, maintaining an active and open facade with extensive glazing to promote an active Castro Street, treating the pedestrian pathway as an extension of the front of the building to provide interest and payment of the parking in-lieu fee so that parking does not have to be provided on-site.

Heritage Tree Removal

The proposed project includes the removal of the one Heritage tree at the front center of the site – a Tree of Heaven (China sumac, varnish tree). The tree's breakage strength is rated as "weak" and is not a desirable tree due to root toxins and root invasion into pavement,

building foundations and underground utility systems. Staff recommends removal of the tree with a condition for payment of a tree replacement in-lieu fee at a ratio of 3:1 (see Attachment 4 for Heritage tree removal plan and report).

PUBLIC MEETINGS AND HEARINGS

The Development Review Committee (DRC) held three formal design meetings on the proposed project. The DRC found the project to be in compliance with the goals and objectives of the Downtown Precise Plan as well as the design guidelines for Area H of the Downtown Precise Plan. The DRC noted that the project was well-designed and complemented the existing structures in the downtown.

On November 10, 2004, the Zoning Administrator held a public hearing on the project (see Attachment 5 for minutes). No written comments were received, but one person spoke at the meeting, Mr. Albert Jehning, who owns the Ames Building at 169-175 Castro Street (adjacent to the other side of the pedestrian walkway from the subject property). Mr. Jehning stated six concerns: (1) the close proximity of the new building to the existing pedestrian walkway; (2) the potential for noise generated by the construction of the building and the new uses; (3) the potential long hours of operation of the new uses; (4) the timing of construction; (5) how required parking would be accommodated; and (6) that the Farmers' Market should know about the construction.

Staff indicated that the remaining 10'1" pedestrian right-of-way is the same width as the other pedestrian walkways linking the public parking lots to Castro Street. The architect explained that the building would have double-glazed windows to help curb noise from the new restaurant use on the first two levels and there would be no public exits from the side or rear of the building.

Staff also indicated that while the construction would take up to 14 months, standard conditions of approval include notification of construction hours to surrounding property owners, muffling of construction equipment, dust control, etc. The City would also coordinate staging and construction with the Farmers' Market with a possible relocation of the market for the duration of the construction.

CONCLUSION

The proposed project is consistent with the General Plan and the Downtown Precise Plan and does not pose any significant environmental impacts. The proposed project is well-designed and compatible with the density, massing and character of the existing structures on Castro Street and in the nearby vicinity in the downtown. Staff recommends that the City Council conditionally approve the Planned Community Permit, Provisional Use Permit and Heritage

Tree Removal Permit with the attached resolution and conditions of approval (see Attachment 6 for resolution and conditions of approval).

ALTERNATIVES

Alternatives to the recommendation to approve the project include:

1. Return the project to the Development Review Committee for additional design review.
2. Deny the Planned Community Permit, Provisional Use Permit and Heritage Tree Removal Permit, finding that the project is not consistent with the goals and policies of the Downtown Precise Plan.

PUBLIC NOTICING

Notice of this public hearing was accomplished by an agenda posting and mailing to all property owners within 300' of the subject property.

Prepared by:

Approved by:

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809-12-07-04M-E^

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Attachments: 1. Location Map
2. Photos of Existing Site and Surrounding Area
3. Proposed Elevations and Floor Plans
4. Heritage Tree Removal Plan and Report
5. Zoning Administrator Hearing Minutes of November 10, 2004
6. Resolution Conditionally Approving a Planned Community Permit,
Provisional Use Permit and Heritage Tree Removal Permit at 155 Castro
Street

cc: Trinh Quan, LLC
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Steve Yang & Associates
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Mr. Albert and Ms. Audrey Jehning
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CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2004

A RESOLUTION CONDITIONALLY APPROVING A
PLANNED COMMUNITY PERMIT, PROVISIONAL USE PERMIT AND
HERITAGE TREE REMOVAL PERMIT AT 155 CASTRO STREET

WHEREAS, an application was received from Steve Yang & Associates for a Planned Community Permit, Provisional Use Permit and Heritage Tree Removal Permit to construct a ±12,140 square foot commercial building (Application No. 230-04-PCZA); and

WHEREAS, the Zoning Administrator held a public hearing on November 10, 2004 on said application and recommended that the City Council conditionally approve the Planned Community Permit, Provisional Use Permit and Heritage Tree Removal Permit subject to the findings and conditions of approval contained in the Findings Report; and

WHEREAS, on December 7, 2004, the City Council held a public hearing on said application and received and considered all evidence presented at said hearing, including the Findings Report and staff report from the Zoning Administrator; and

WHEREAS, staff has determined that this project is categorically exempt from review under the California Environmental Quality Act Guidelines, Section 15332, Infill Development Projects;

NOW, THEREFORE, BE IT RESOLVED by the City Council that said application is consistent with the General Plan and the Downtown Precise Plan District.

BE IT FURTHER RESOLVED by the City Council that the Planned Community Permit, Provisional Use Permit and Heritage Tree Removal Permit for said project is hereby granted subject to the developer's fulfillment of each and all of the conditions which are attached hereto and incorporated herein by reference.

TIME FOR JUDICIAL REVIEW:

The time within which judicial review of this decision must be sought is governed by California Code of Procedure, Section 1094.6, as established by Resolution No. 13850, adopted by the City Council on August 9, 1983.

NH/9/RESO
809-12-07-04R^